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*\*Not to be admitted or added to docket  
\*\*Pro hac vice forthcoming*

IN THE UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF  
MONTANA MISSOULA DIVISION

SAMANTHA ALARIO, *et al.*,  
Plaintiffs,

and,

TIKTOK INC.,

Consolidated Plaintiff,

v.

AUSTIN KNUDSEN, *in his official  
capacity as Attorney General of the  
State of Montana*

Defendant.

Lead Case No.  
CV-23-56-M-DWM

Member Case No.  
CV-23-61-M-DWM

**DECLARATION OF  
ANDREW N. FERGUSON**

I, Andrew N. Ferguson, in accordance with the requirements of 28 U.S.C. § 1746, and pursuant to L.R. 83.1(d) of the Local Civil Rules of the United States District Court for the District of Montana, declare as follows in support of my application for pro hac vice admission as counsel for *Amicus Curiae*, the Commonwealth of Virginia in the above-captioned action:

(A) I am a resident of the Commonwealth of Virginia. I am employed by the Office of the Attorney General with an office located at 202 N. 9<sup>th</sup> Street in Richmond, VA 23219, P. (804) 786-2071, [aferguson@oag.state.va.us](mailto:aferguson@oag.state.va.us);

(B) I will pay, simultaneously with filing the application, the admission fee shown on the court's website;

(C) I am proficient in electronic filing in other federal district courts;

(D) I have been admitted to practice in:

Virginia (12/16/2013)

Washington DC (1/9/2015)

U.S. Court of Appeals for the Second Circuit (5/6/2015)

U.S. Court of Appeals for the Third Circuit (5/1/2023)

U.S. Court of Appeals for the Fourth Circuit (12/21/2021)

U.S. Court of Appeals for the Fifth Circuit (2/23/2022)

U.S. Court of Appeals for the Sixth Circuit (4/22/2015)

U.S. Court of Appeals for the Eighth Circuit (6/16/2023)

U.S. Court of Appeals for the Ninth Circuit (3/17/2022)

U.S. Court of Appeals for the Eleventh Circuit (5/15/2023)

U.S. Court of Appeals for the District of Columbia (2/14/2022)

U.S. District Court for the Western District of Virginia (2/10/2022)

U.S. District Court for the Eastern District of Virginia (3/24/2022)

U.S. District Court for the District of North Dakota (2/14/2023)

Supreme Court of the United States (11/15/2021)

(E) I am and, since admission, have always been a member in good standing with the Virginia State Bar, and all other courts for which I have been admitted to practice.

(F) I am not currently suspended or disbarred in any other court.

(G) I have never been held in contempt or otherwise disciplined by any court for disobedience to its rules or orders, or sanctioned under Fed. R. Civ. P. 11, or 37(b), (c), (d) or (f) or the equivalent rules in any state.

(H) I am currently not admitted pro hac vice before this Court and have not been admitted pro hac vice within two years preceding the date of my application in this case.

(I) I understand that pro hac vice admission in this Court is personal and is not admission of the Attorney General or any other employed by him, and that I will be held fully accountable for the conduct of the litigation in this Court.

(J) In accordance with Montana Rule of Professional Conduct 8j.5, I swear and affirm that I will be bound by the Montana Rules of Professional Conduct (except Rules 6.1 through 6.4) in my practice of law in this State. Furthermore, I understand and certify that I will be subject to the disciplinary authority of this State. A copy of this certification will be mailed to the State Bar of Montana in Helena. Furthermore, pursuant to Local Rule 83.2(a), I understand that the standards of professional conduct of attorneys appearing in this Court include the American Bar Association's Model Rules of Professional Conduct and the Montana Rules of Professional Conduct.

Dated on this 13th day of September, 2023.

Signed under the pains and penalties of perjury.

/s/ Andrew N. Ferguson  
Andrew N. Ferguson